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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 22, 2001

PETITION OF

THE CITY OF NORFOLK

CASE NO. PUE000485

For declaratory judgment

ORDER GRANTING MOTION

On September 26, 2000, the City of Norfolk ("Norfolk") in the above-referenced matter filed a petition for declaratory judgment ("Petition") with the State Corporation Commission (the "Commission") requesting that the Commission declare that:

(1) the City of Virginia Beach, Virginia ("Virginia Beach") must obtain permission from the Commission pursuant to § 25-233 of the Code of Virginia ("Code") to condemn any property belonging to Norfolk; and (2) such permission must be obtained before Virginia Beach can initiate condemnation proceedings in the Circuit Court of the City of Virginia Beach ("Circuit Court").

On January 23, 2001, the Commission issued an Order Granting Oral Argument scheduling a hearing for February 6, 2001. Norfolk and Virginia filed a joint motion for continuance of the February 6, 2001, hearing on January 26, 2001. On January 30, 2001, the Commission issued an Order Granting Motion rescheduling the hearing for March 22, 2001.

Norfolk and Virginia filed a joint motion for continuance of the hearing scheduled for March 22, 2001, on February 16, 2001. The motion states that Norfolk and Virginia Beach have resolved the disputes between them, subject to the closing of the sale of the subject property in this matter, and moves the Commission to continue the hearing generally.

Accordingly, IT IS ORDERED THAT:

(1) The hearing set for March 22, 2001, at 10:00 a.m. in the Commission's Second Floor Courtroom, Tyler Building, 1300 East Main Street, Richmond, Virginia is hereby continued generally.

(2) This matter is continued for further orders of the Commission.

Commissioner Moore will not participate in this matter.